

**AMENDMENTS TO THE DRAWINGS**

The attached sheet(s) of drawings includes changes to:

In Fig. 1, receiving means and reference numeral 10 indicating the receiving means has been added;

In Fig. 2, "FIG. 2" has been removed, and "(a)" and "(b)" have been replaced with --FIG. 2A-- and --FIG. 2B--, respectively;

In Fig. 3, "FIG. 3" has been removed, and "(a)" and "(b)" have been replaced with --FIG. 3A-- and --FIG. 3B--, respectively;

In Fig. 4, "FIG. 4" has been removed, and "(a)" and "(b)" have been replaced with --FIG. 4A-- and --FIG. 4B--, respectively;

In Fig. 6, "FIG. 6" has been removed, and "(a)", "(b)", and "(c)" have been replaced with --FIG. 6A--, --FIG. 6B--, and --FIG. 6C--, respectively;

In Fig. 7, "FIG. 7" has been removed, and "(a)", "(b)", and "(c)" have been replaced with --FIG. 7A--, --FIG. 7B--, and --FIG. 7C--, respectively;

In Fig. 8, "FIG. 8" has been removed, and "(a)" and "(b)" have been replaced with --FIG. 8A-- and --FIG. 8B--, respectively;

In Fig. 13, "FIG. 13" has been removed, and "(a)" and "(b)" have been replaced with --FIG. 13A-- and --FIG. 13B--, respectively; and

Fig. 16 has been provided with a legend --Related Art--.

Attachment: Replacement sheet

**REMARKS**

Claims 1, 2, and 4-10 are pending in the application.

**Specification and Claims**

Minor changes have been made to the specification and claims to place them in better form for U.S. practice.

**Drawings**

(a) The drawings have been objected to for filing to properly use partial views.

In view of this, Figs. 2, 3, 4, 6, 7, 8, and 13 have been amended, as suggested by the Examiner, to overcome this objection.

Further, changes have been made to the specification such that the specification is consistent with the changes made to the drawings.

The Examiner is respectfully requested to approve and enter the drawing changes and withdraw this drawing objection.

(b) The Examiner states that Fig. 16 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated.

In view of this, Fig. 16 has been provided with a legend --Related Art--.

The Examiner is respectfully requested to approve and enter the drawing changes.

(c) Fig. 1 has been amended to show receiving means 10 of the client 11.

The Examiner is respectfully requested to approve and enter the drawing changes.

**Claim Rejections - 35 U.S.C. § 101**

(a) Claims 1, 6, and 8 have been rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1, 6, and 8 have been amended to clarify that the “system” is directed to a machine to overcome this rejection.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 2, 7, and 9-10 have been rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claims 2, 7, and 9-10 have been amended to an apparatus claim format to clarify that the claimed invention is directed to a machine to overcome this rejection.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Claim Rejections - 35 U.S.C. § 112

(a) Claims 1-2 and 4-10 have been rejected under 35 U.S.C. § 112, first paragraph, because the claimed invention is not supported by either an asserted utility or a well established utility.

Claims 1-2 and 4-10 have been amended to emphasize that the claimed invention is directed to an apparatus to overcome this rejection.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 1, 6, and 8 have been rejected under 35 U.S.C. § 112, second paragraph, because it is unclear whether a “system” is an apparatus or method.

Claims 1, 6, and 8 have been amended to emphasize that the claimed invention is directed to an apparatus to overcome this rejection.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(c) Claims 1-2 and 4-10 have been rejected under 35 U.S.C. § 112, second paragraph, because of some informalities.

Claims 1-2 and 4-10 have been amended to an apparatus claim format to overcome this rejection.

Further, Fig. 1 and the specification (page 1, line 6) have been amended to clarify that the client 11 receives the coded image data via receiving means 10.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

An Embodiment of the Present Invention

As shown in Fig. 1, an image data distribution system includes an image data transmitting apparatus 1 (server) and an image data receiving apparatus 11 (client).

The image data transmitting apparatus 1 includes an image generating unit 3 which, based on image data supplied from the multiple viewpoint image supplying unit 2, generates image data of an image viewed from a viewpoint in conformity with the request information requested through a request information input unit 16 provided in the image data receiving apparatus 11.

In other words, the image generating unit 3 does not simply transfer image data provided by the multiple viewpoint image supplying unit 2 but generates image data (for example, by interpolation (see page 9, lines 21-24) in response to the request information requested by a user through the image data receiving apparatus 11.

The image data receiving apparatus 11 includes a receiving unit (see reference numeral 10 in Fig. 1 as amended) that receives, by way of a network 7, coded image data of an image viewed from a viewpoint in conformity with client's request information transmitted by way of a network.

In other word, the coded image data, received by the receiving unit has already been converted to an image viewed from a viewpoint in conformity with client's request information.

Claim Rejections - 35 U.S.C. § 103

Claims 1-2 and 4-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki et al. (USP 6,573,912) in view of Gadh et al. (USP 6,525,732). This rejection is respectfully traversed.

In the Office Action, the Examiner alleges that:

- (i) Items 212-213 and 224 of Suzuki correspond to the “image generating means” of the

present invention;

- (ii) The renderor 242 corresponds to the “request information input means;” and
  - (iii) The perspective selection 244 corresponds to the “client’s request information”
- of the present invention. Applicants respectfully disagree.

With regard to background subtractors 212-213, Suzuki merely indicates that they subtract background from images captured by video capture devices 208-210 and generates background - subtracted real-view (A-C) 216-218 used by a silhouette processor 220 and also sent to a network client 232 through the Internet 230 (see col. 9, lines 32-39).

With regard to the voxel calculator 224, Suzuki merely states that generates a voxel database that is supplied to a network server 228 along with the background-subtracted real views (A-C) 216-128 for the Internet 230.

Suzuki, however, does not disclose or suggest that the background subtractors 212-213 and the voxel calculator 224 “generates image data of an image viewed from a viewpoint in conformity with the request information,” as recited in claim 1.

Further, Suzuki states:

A novel view (N) 240 is interpolated from the available information by a renderor 242 in response to a perspective selection 244 provided by a user.

In effect, system 200 distributes the rendering task to each network client. In some applications there could be thousands of independent network clients 232 all asking for the same data from a single network server 228. Each client could be asking for a unique perspective selection 244 provided by its respective user, so this architecture avoids rendering bottlenecks.

Therefore, in Suzuki, “generation of image data of an image viewed from a viewpoint in conformity with the request information,” is, at best, done by the renderor 242, provided in a client device (and not in a server as in the present invention), in response to the perspective selection 244.

In view of this, Suzuki fails to disclose or suggest the “image generating unit,” as recited in claim 1.

Further, claims 1, 6, 7, 8, and 10 claim an image data receiving apparatus that includes “a request information transmitting unit that transmits the request information to the network” (*emphasis added*).

In the Office Action, the Examiner takes a position that item 232 (network client) of Suzuki corresponds to the “request information transmitting unit,” and item 230 (internet) of Suzuki corresponds to the “network” of the claimed invention of the present application (see page 9, lines 1-2 of the Office Action).

Furthermore, the Examiner takes a position that item 244 (unique perspective selection) 244 of Suzuki corresponds to the “request information” of the present invention (see, for example, page 8, line 4 of the Office Action).

Applicants submit, however, that item 244 (unique perspective selection) is only used in a renderor 242 (col. 9, lines 43-45), and is not transmitted to item 230 (internet). Therefore, Suzuki neither discloses nor suggests the claimed “request information transmitting unit that transmits the request information to the network” (*emphasis added*), of the present invention.

Claim 4, dependent on claim 1, is allowable at least for its dependency on claim 1.

Independent claims 2, 4, 6, 8, and 9 are allowable at least for the similar reasons as stated in the foregoing with regard to claim 1.

Claim 5, dependent on claim 2, is allowable at least for its dependency on claim 2.

Similarly, claims 7 and 10, which are directed to an image data receiving apparatus are allowable at least because in Suzuki, the network client 232 merely receives image data that is not yet generated in conformity with the “client’s request information.” In Suzuki, such image data is generated by the renderor 242 provided in the client device.

Therefore, Suzuki fails to disclose or suggest “a receiving unit that receives, by way of network,

coded image data of an image viewed from a viewpoint in conformity with client's request information transmitted by way of a network by way of a network," as recited in claims 7 and 10.

Gadh merely discloses a display means for displaying image data.

In view of this, even assuming that Suzuki and Gadh can be combined, which Applicants do not admit, one skill in the art would, at best modify the system disclosed by Suzuki by providing a display unit, and would not conceive the foregoing features of the present invention.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

#### Conclusion

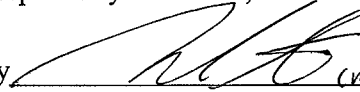
Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and objections, and allowance of the pending claims are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi Reg. No. 40,417 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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Attachments